

KEVIN G. HORBATIUK (KG-4977)
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Attorneys for Defendant
CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO., INC.
26 Broadway - 28th Floor
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(212) 482-0001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER
AND LOWER MANHATTAN DISASTER SITE
LITIGATION**
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21 MC 102 (AKH)

ANDRZEJ SIEMEK and JANINA SIEMEK,

**DOCKET NO.:
07 CV 1704**

Plaintiffs,

-against-

**100 CHURCH, LLC, 120 BROADWAY
CONDOMINIUM (CONDO # 871), 120 BROADWAY
HOLDING, LLC., 120 BROADWAY PROPERTIES,
LLC., 120 BROADWAY, LLC, 4101 AUSTIN BLVD.,
CORPORATION, 715 REALTY CORP., 90
CHURCH STREET LIMITED PARTNERSHIP,
AMBIENT GROUP, INC., AMG REALTY PARTNERS,
L.P., BATTERY PARK CITY AUTHORITY, BELFOR
USA GROUP, INC., BLACKMON-MOORING STEAMATIC
CATASTROPHE, INC., d/b/a BMS CAT, BOARD OF
MANAGERS OF THE 120 BROADWAY CONDOMINIUM,
BOSTON PROPERTIES, INC., BROOKFIELD FINANCIAL
PROPERTIES, INC., BROOKFIELD FINANCIAL
PROPERTIES, L.C., BROOKFIELD PARTNERS, L.P.,
BROOKFIELD PROPERTIES CORPORATION,
BROOKFIELD PROPERTIES HOLDINGS, INC.,
CITIBANK, N.A., CUNNINGHAM DUCT CLEANING CO.,
GPS ENVIRONMENTAL CONSULTANTS, INC.,
INDOOR AIR PROFESSIONALS, INC., INDOOR
ENVIRONMENTAL TECHNOLOGY, INC., JONES
LANG LASALLE AMERICAS, INC., JONES
LASALLE SERVICES, INC., LAW ENGINEERING,
P.C., MERRILL LYNCH & CO., INC.,
MSDW 140 BROADWAY PROPERTY L.L.C.,**

**NOTICE OF
ADOPTION OF
ANSWER TO
MASTER COMPLAINT**

**ONE WALL STREET HOLDINGS, LLC, ROYAL AND
SUNALLIANCE INSURANCE GROUP, PLC.,
SILVERTSTEIN PROPERTIES, INC., STRUCTURE
TONE (UK), INC., STRUCTURE TONE GLOBAL
SERVICES, INC., SWISS BANK CORPORATION, THE
BANK OF NEW YORK COMPANY, INC., TRC
ENGINEERS, INC., TUCKER ANTHONY, INC., WFP
TOWER A CO., WFP TOWER A CO., G.P., CORP., WFP
TOWER A. CO., L.P., and ZAR REALTY MANAGEMENT
CORP.,**

Defendants.

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PLEASE TAKE NOTICE, that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York
January 31, 2008

Kevin G. Horbatiuk
Kevin G. Horbatiuk (KGH4977)
Attorneys for Defendant
**CUNNINGHAM DUCT WORK s/h/i/a
CUNNINGHAM DUCT CLEANING CO.,
INC.**
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TO: CHRISTOPHER R. LaPOLA, ESQ.,
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CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 31st day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,
WORBY GRONER EDELMAN & NAPOLI BERN, LLP
Attorney for Plaintiffs
ANDRZEJ SIEMEK and JANINA SIEMEK
115 Broadway 12th Floor
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A handwritten signature in cursive script, reading "Kevin G. Horbatiuk", written in black ink over a horizontal line.

KEVIN G. HORBATIUK